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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/164,388	09/30/1998	HON WAH CHIN	CISCPO54	6603
22434	7590	10/30/2003	EXAMINER	
BEYER WEAVER & THOMAS LLP P.O. BOX 778 BERKELEY, CA 94704-0778			PRIETO, BEATRIZ	
		ART UNIT		PAPER NUMBER
		2142		22

DATE MAILED: 10/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/164,388	CHIN, HON WAH
	Examiner B. Prieto	Art Unit 2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 17 July 2003.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-43 and 45-54 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-43 and 45-54 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)      4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) Notice of Informal Patent Application (PTO-152)  
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.      6) Other:

***Detailed Action***

1. This communication is in response to amendment filed 07/17/03, claims 1-43 and 45-54 remain pending and are hereby set forth for examination.
2. Amendment to the claim language has obviated previously raised 35 U.S.C. 112, thereby rejection is withdrawn.
3. Quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action may be found in previous office action.
4. Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erimli et. al. (Erimli) U.S. Patent No. 6,487,212 in view of Barucchi et. al. (Barucchi) U.S. Patent No. 5,392,401.

Regarding claims 1, Erimli teaches features substantially as claimed, a system/method including; a switch (12) (router) for routing data packets (col 4/lines 21-24, 29-32, routing: col 5/lines 27-29), the router including; an inbound (receiving) port and an outbound (sending) port (col 2/lines 52-57, col 5/lines 11-20, col 6/lines 10-16), a memory (col 5/lines 32-40), and a processor (CPU) (col 7/lines 21-23); the receiving interface (18) (controller) being adapted for receiving a (inbound) packet at the receiving (inbound) port (16) (col 5/lines 11-23), the method comprising: providing a plurality of input (inbound) queues (52) for the inbound port (col 6/lines 1-16, col 7/lines 35-41); receiving an inbound packet at the inbound port (col 7/lines 35-41); storing the received (inbound) packet in the selected one of the plurality of inbound queues (52) (col 6/lines 10-16); and determining when one of the plurality of inbound queues storing a plurality of packets is ready to be moved to an entry in an outbound queue (col 22/lines 37-54, col 23/lines 24-35, 54-56) associated with the outbound port (col 10/lines 46-56, col 11/lines 6-9, 20-23); the outbound queue being capable of storing a reference (col 14/lines 14-20) to a plurality of inbound queues (col 8/lines 1-8, 16-22, col 22/lines 37-41) individually (col 9/lines 28-37, 61-

63, pointer as an entry) stored in a different one of a plurality of entries in the outbound queue (col 23/lines 22-27);

conventionally each of the plurality of inbound queues storing a plurality of packets to be separately transmitted (read) (col 10/lines 10-11);

although prior art teaches classifying one of the pluralities of inbound queues according to a priority (sorting criteria) and classifying the received packets according to a (destination or type criteria) packet sorting criteria; it does not explicitly teach selecting one of the plurality of inbound queues according to packet sorting criteria;

Barucchi teaches a system/method related to a switching device for routing data packets (abstract), teaching a routing device (col 3/lines 42-48) configured for selecting one of a plurality of inbound queue according to a packet destination criteria (packet sorting criteria) (prior art: col 1/lines 25-37, select inbound queue according to data packet destination, col 5/lines 4-22, 51-54, select inbound queue according to the data packet source, col 7/lines 31-34, Fig. 2, selection means 32) storing the inbound packet in the selected one of the plurality of the inbound queue (i.e. allocating "classifying or sorting");

It would have been obvious to one ordinary skilled in the art at the time the invention was made to include Barucchi's teaches for classifying the received packet with a selected one of the plurality of inbound queues according to a packet sorting criteria for storing the inbound packet in the selected one of the plurality of inbound queues and transferring to received packet to an outbound queue associated with the outbound port according to said packet sorting criteria for its destination, as taught by Barucchi. Motivation would be to optimize the performance of a switching device for simultaneously routing data from outbound queues to their respective destinations according to selected inbound and outbound queues.

Regarding claim 2, raising (asserting) an indication (interrupt) when it is determined that one of the plurality of inbound queues is ready to be moved to an outbound queue (Erimli: col 24/lines 59-col 25/line 22).

Regarding claim 3, sorting the inbound packet into one of the plurality of inbound queues according to

the packet sorting data from data obtained from the inbound packet associated with said selected criteria (Barucchi: col 1/lines 25-37, col 5/lines 4-22, 51-54, col 7/lines 31-34, Fig. 2).

Regarding claim 4, a transferring the selected one of the plurality of inbound queues storing a plurality of packets to the outbound queue associated with the outbound port, outbound queue including a reference to the selected inbound queue storing a plurality of packets is stored in a single one of a plurality of entries in the outbound queue (Erimli: moving queue: col 22/lines 37-54, col 23/lines 24-35, 54-56, outbound queue/port: col 10/lines 46-56, col 11/lines 6-14, 20-23, pointer: col 14/lines 14-20, inbound queues: col 8/lines 1-8, 16-22, col 22/lines 37-41: individually entry: col 9/lines 28-37, 61-63, pointer as an entry stored in a different one of a plurality of entries in the outbound queue col 23/lines 22-27).

Regarding claim 5, obtaining an available packet buffer from a free pool of available packet buffers (free buffer pool 104: col 7/lines 23-28); placing the inbound packet in the packet buffer for storing the packet buffer in the inbound queue (Erimli: col 7/lines 52-65).

Regarding claim 6, determining whether a number of packets in one of the plurality of inbound queues exceeds a maximum number of packets (Erimli: col 24/lines 24-32).

Regarding claim 7, determining whether a number of bytes in one of the plurality of inbound queues exceeds a maximum number of bytes (Erimli: col 24/lines 24-32).

Regarding claim 8, determining whether a free pool of available memory has been depleted (Erimli: col 21/lines 19-23).

Regarding claim 9, determining whether a maximum time limit has been exceeded (Erimli: col 15/lines 1-4).

Regarding claim 10, this claim comprises features substantially the same as those discussed on claim 1, same rationale of rejection is applicable, and further limitations include:

an outbound controller for the router being adapted for forwarding packets at the outbound port (Erimli: outbound interface (18) (controller) and output port (16): col 6/lines 11-19);

transmit (outbound) queue (54) associated with the outbound port (Erimli: outbound queue (54): col 6/line 10-16, outbound queue (74), col 7/lines 25-26, output port, col 5/lines 19-20, 26-33, outbound queue of the outbound port: col 22/lines 325-41);

an outbound queue storing a plurality of inbound queues (Erimli: col 2/lines 21-28, 52-62);

receiving a indication or signal (notification) to handle an inbound queue being ready to be moved to an outbound queue (Erimli: col 24/lines 59-col 25/line 22);

move (transferring) the inbound queue storing a plurality of packets to an entry in the outbound queue associated with the outbound port such that a reference to the inbound queue storing a plurality of packets is stored in one of a plurality of entries in the outbound queue (Erimli: inbound move to outbound queue: col 22/lines 37-54, col 23/lines 24-35, 54-56, col 10/lines 46-56, col 11/lines 6-9, 20-23, outbound queue storing pointer, col 14/lines 14-20, col 8/lines 1-8, 16-22, col 22/lines 37-41, individually col 9/lines 28-37, 61-63, pointer as an entry stored in a different one of a plurality of entries in the outbound queue col 23/lines 22-27); and

repeating the receiving and transferring steps for the plurality of inbound queues (Erimli: col 9/lines 61-63, col 10/lines 10-11, repeat transfer next: col 19/lines 8-10).

Regarding claim 11, receiving the signal or indication (notification) from a processor to move the inbound queue (Erimli: col 24/lines 59-col 25/line 22).

Regarding claim 12 transmitting packets stored in the outbound queue (Erimli: inbound move to outbound queue: col 22/lines 37-54, col 23/lines 24-35, 54-56, col 10/lines 46-56, col 11/lines 6-9, 20-23, outbound queue storing pointer, col 14/lines 14-20, col 8/lines 1-8, 16-22, col 22/lines 37-41, individually col 9/lines 28-37, 61-63).

Regarding claim 13, selectively discarding packets stored in the outbound queue (Erimli: discarding: col 12/lines 15-31, discarded: col 1/lines 56-61).

Regarding claim 14, obtaining a next one of the plurality of inbound queues stored in the outbound queue (Erimli: transmitting selected packets stored in the next one of the plurality of inbound queues (col 19/lines 8-10) and releasing memory associated with the next one of the plurality of inbound queues (Erimli: col 19/lines 10-19).

Regarding claim 15, storing the released memory in a free pool of available packet buffers (Erimli: release: col 25/lines 7-12, return buffer to the free pool: col 17/lines 41-50).

Regarding claim 16, forming a new inbound queue to be used by an inbound controller (Erimli: clear queue entries: col 17/lines 14-20, release inbound queue: col 8/lines 39-45).

Regarding claim 17, forming a queue to be used by the outbound controller during bi-directional Operation (Erimli: col 15/lines 50-col 16/line 2).

Regarding claim 18, this claim comprises limitation(s) discussed on claim 4, same rationale of rejection is applicable, further limitation includes, ascertaining a priority of the inbound queue (Erimli: input queue: priority level: col 2/lines 21-28).

Regarding claim 19, this claim comprises combined features discussed on claims 1 and 19, same rationale of rejection is applicable.

Regarding claim 20, this claim comprises apparatuses associated with and/or to perform each of the functions of the method claims 1 and 10, same rationale of rejection is applicable.

Regarding claims 21-24, these claims comprise the apparatuses (e.g. modules) adapted to perform each of the functions of the method claims 1-2, 5, and 7 respectively, same rationale of rejection is applicable.

Regarding claim 25, determining whether a number of bytes in one of the plurality of inbound queues exceed a maximum number of bytes (Erimli: col 25/lines 1-2, col 23/lines 24-40).

Regarding claims 26-27, these claims comprise the apparatuses (e.g. modules) adapted to perform each of the functions of the method claims 8 and 9 respectively, same rationale of rejection is applicable

Regarding claim 28, this claim comprise the apparatuses (e.g. modules) adapted to perform each of the functions of the method claims 1-2, 10, 19, and apparatus claim 20, same rationale of rejection is applicable.

Regarding claim 29, this claim is substantially the same as claims 2 & 10-11, wherein the signal or indication from processor is further called “notification”, same rationale of rejection is applicable.

Regarding claims 30-36, these claims comprise the apparatuses (e.g. modules) adapted to perform each functions of the method claims 12-18 respectively, same rationale of rejection is applicable.

Regarding claim 37, this claim comprises the interconnected apparatuses (e.g. modules) adapted to perform each of the functions of the method claims 1, 10, 19, and apparatus claim 20, same rationale of rejection is applicable.

Regarding claim 38, this claim comprises the interconnected apparatuses (e.g. modules) adapted to perform each of the functions of the method claims 1, 10, 19, and apparatus claim 20, same rationale of rejection is applicable.

Regarding claim 39, this claim comprises the interconnected apparatuses (e.g. modules) adapted to perform each of the functions of the method claims 1, 10, 19, and apparatus claim 20, same rationale of rejection is applicable.

Regarding claim 40, releasing selected packet buffers associated with packets stored at the one of the plurality of outbound queues (Erimli: col 15/lines 50-col 16/line 2).

Regarding claim 41, free pool of available packet buffers and releasing the selected packet buffers into the free pool (Erimli: col 15/line 50-col 16/line 2).

Regarding claim 42, providing a new inbound queue of selected one of the plurality of inbound queues according to packet sorting criteria for the inbound controller use or reuse (Erimli: clear queue entries: col 17/lines 14-20, release inbound queue: col 8/lines 39-45, Barucchi: selecting one of a plurality of inbound queue col 1/lines 25-37, select inbound queue according to data packet destination, col 5/lines 4-22, 51-54).

5. Claims 43, and 45-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erimli in view of Barucchi in further view of Clark U.S. Patent No. 5,177,480

Regarding claim 43, this claim comprises substantially the same features discussed on the method claims 1, 10, 19, and the apparatus claims 20, 28, 37-38, same rationale of rejection is applicable, further however, the prior art does not explicitly teach encrypting the one of the plurality of inbound queues to provide an encrypted inbound queue to the outbound controller for transmission;

Clark discusses as prior art encryption mechanisms, which encrypt an entire buffer (queue or set data packets) (col 1/lines 34-col 2/line 10);

It would have been obvious to one ordinary skilled in the art at the time the invention was made to include means for encrypting an entire buffer as discussed by Clark, to enable the encryption to one of the plurality of inbound queues to provide an encrypted inbound queue to the outbound controller for transmission, further processing the encrypted inbound queue in the same manner the inbound queue was processed in the above-discussed system/method, motivation as indicated by Clark is utilized in compression algorithms before transmission steps, used to reduce significant overhead associated with the data and reducing delay.

Claim 44, cancelled.

Regarding claim 45, this claim contains limitation(s) substantially the same as those discussed on claims 1, 2 and 4, same rationale of rejection is applicable.

Regarding claim 46-48, this claim contains limitation(s) substantially the same as those discussed on claims 1-2, 4, 10-11 & 18, same rationale of rejection is applicable.

Regarding claim 49-50, the inbound queue stores therein a plurality of packets (Erimli: col 5/lines 11-23), and wherein the encryption box encrypts an entire queue (Clark: col 1/line 34-col 2/line 10).

Regarding claim 51, this claim contains limitation(s) substantially the same as those discussed on claims 4, 10, 11 and 22, same rationale of rejection is applicable.

Regarding claim 52, this claim contains limitation(s) substantially the same as those discussed on claim 1, same rationale of rejection is applicable.

Regarding claim 53, this claim comprises the apparatus, i.e. the computer-readable medium storing thereon computer-readable instructions for performing the method claims 1, 10, 19, and apparatus claims 20, 28, 37-38, & 43, same rationale of rejection is applicable.

Regarding claim 54, this claim comprises the apparatus, for routing (forwarding) a packet in a router of claims 1, 10, 19-20, 28, 37-38 & 43, including the means for performing functions thereof, same rationale of rejection is applicable.

### ***Response to arguments***

6. Applicant argues prior art does not teach claim (10) limitation, specifically, an outbound queue capable of storing or otherwise identifying a plurality of inbound queue, because according to applicant a “queue is a data structure that is used to store a plurality of packet” and the Ermili reference stores a plurality of packets rather than inbound queues.

In regards to the above-mentioned argument, it is respectfully noted that, according to applicant’s specification a set of packets is a queue of packets, that may be transferred between the inbound controller and the outbound controller. Inbound queue corresponds to a set of packets (see disclosure page 9, lines 10-20). Outbound queues includes a FIFO (see disclosure page 10, line 18 to page 11, line and Fig. 4). Regarding claim limitation 10, it recites, an outbound queue associated with the outbound port and being capable of storing a plurality of inbound queues.

Ermili teaches an outbound queue associated with an outbound port (Ermili: transmit FIFO 54 of Fig. 2 associated each the sending (outbound) port (50, 53 and 30) see col 6/line 10-16, including plurality of port output queues (74) see col 7/lines 25-26 see Fig. 9a). An outbound queue capable of storing a plurality of inbound queues (Erimli: a plurality of queues corresponding to a plurality of input/output ports, and a plurality of queue output at which entries from the queue input are received, queue and output at the queue see col 2/lines 21-28, 52-62).

7. Applicant argues prior art does not teach claim limitation, specifically, “enqueueing an entire queue of packets in an outbound queue”.

In response to the above-mentioned argument, it is noted that the features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

8. Applicant argues prior art does not teach claim limitation as recited, specifically, a plurality of inbound queues for an inbound port and classifying in one or the plurality of inbound queues.

In response to the above-mentioned argument, Ermili teach a plurality of inbound queues for an inbound port (Ermili: receive FIFO 52 of Fig. 2 associated each the sending (outbound) port (50, 53 and 30) see col 6/line 10-16, a plurality of queues corresponding to the plurality of ports, at least one of those queues has a queue input at which entries to the queue are received,

see col 2/lines 52-57). Regarding claim 1, prior art teaches classifying the inbound packet in a selected one of the plurality of inbound queues according to packet sorting criteria, Barruchi teaches selecting one of a plurality of inbound queue according to a packet destination criteria (packet sorting criteria) (prior art: col 1/lines 25-37, select inbound queue according to data packet destination, col 5/lines 4-22, 51-54, select inbound queue according to the data packet source, col 7/lines 31-34, Fig. 2, selection means 32) storing the inbound packet in the selected one of the plurality of the inbound queue (i.e. allocating “classifying or sorting”);

9. Applicant's arguments filed 07/17/03 have been fully considered but not found persuasive.

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Prosecution of this application is closed by means of this final office action § 1.113, applicant may request continued examination of the application by filing a Request for Continued Examination of under 37 CFR § 1.114 and providing the corresponding fee set forth in § 1.17(e) for the submission of, but not limited to, new arguments, an information disclosure statement, an amendment to the written description, claims, drawings, or new evidence in support of patentability. Or applicant, whose claim has been twice rejected, may appeal from the decision of the administrative patent judge to the Board of Patent Appeals and Interferences under 35 U.S.C. §134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (703) 305-0750. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Mark R. Powell can be reached on (703) 305-9703. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6606. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Any response to this final action should be mailed to:

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Or Telephone:  
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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
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(B)  
B. Prieto  
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October 26, 2003

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